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VOLUME XL.....NO. 24

AMUSEMENTS TO-NIGHT.

PARISIAN VARIETIES.
VARIETY, at 8 P. M.
OLYMPIC THEATRE.
VARIETY, at 8 P. M.
TWENTY-THIRD STREET OPERA HOUSE.
CALIFORNIA MINSTRELS, at 8 P. M.
KATT, at 8 P. M. Walter Benn.
LYCEUM THEATRE.
VADEVILLE, at 8 P. M. Minnie Palmer.
WALLACK'S THEATRE.
FRANKS, IDLE TEARS, at 8 P. M. H. J. Montague.
TONY PASTOR'S NEW THEATRE.
VARIETY, at 8 P. M.
EAGLE THEATRE.
VARIETY, at 8 P. M.
BROOKLYN THEATRE.
VERREOL, at 8 P. M.
TIVOLI THEATRE.
VARIETY, at 8 P. M.
UNION SQUARE THEATRE.
VERREOL, at 8 P. M. C. R. Thorne, Jr.
PARK THEATRE.
BRASS, at 8 P. M. George Fawcett Row.
CHATEAU MABILLE VARIETIES.
VARIETY, at 8 P. M.
BOWERY THEATRE.
HARLEY, at 8 P. M.
THIRTY-FOURTH STREET OPERA HOUSE.
PIQUE, at 8 P. M. Fanny Davenport.
VARIETY, at 8 P. M.
GLOBE THEATRE.
VARIETY, at 8 P. M.
SAN FRANCISCO MINSTRELS, at 8 P. M.
GERMANIA THEATRE.
MAEDER OHNE GELD, at 8 P. M.

TRIPLE SHEET.

NEW YORK, MONDAY, APRIL 3, 1876.

From our reports this morning the probabilities are that the weather to-day will be partly cloudy, with, possibly, rain.

NOTICE TO COUNTRY NEWSDEALERS.—For prompt and regular delivery of the HERALD by fast mail trains orders must be sent direct to this office. Postage free.

THE CREAM'S JOURNEY has been arranged and presents only the usual features of a royal tour. A subsidence of the abdication rumors is noticeable.

OUR PROMINENT CLUBS seem unfortunate in respect to fires. Last night the New York Club had its building rendered uninhabitable for club purposes by a fire which did fifteen thousand dollars damage. The Union League Club is just refitted after an extensive fire, and the Union Club not very long since sustained considerable damage from a fire in the upper floors. There must be something loose in the arrangements or lax in the discipline to account for these successive losses of valuable property.

EMPRESS OF INDIA.—The English liberals are waging a peculiar war on the Mansard roof which Disraeli proposes to put on the English crown. The Royal Titles bill cannot be defeated by them, but they are going to beg the Queen to call herself something besides Empress. They could stand a royal old Indian pagoda on top of the regal head ornament, but a French Mansard roof, never. One of the proposed compromise titles, Padishah, may awaken a local interest in Ireland, where it might be mistaken for a compliment to the nation and would be pronounced Paddy Shaw.

REMARKABLE FACT.—Mr. Killian has not yet called for an investigation of the HERALD charges that there were two thousand arguments used to persuade him to desert the "No Sent No Fare" bill. No single member of the Railroad Committee has yet called for an investigation, and yet a few days ago all of them professed terrible indignation and proclaimed a desire to court immediate and thorough examination. We have seen such exhibitions before both at Washington and Albany. Now is it not about time for that investigation, and would it not be well to summon Channey Dewey, John Kelly, Mr. Blumenthal and the leading men of our city railroad lines?

THE DUCHY OF SAXE-COBURG-GOTHA, and the right of the Duke of Edinburgh to succeed to it as the son of Prince Albert, is said to be the object of Queen Victoria's German journey. The aggregation of the German Empire in the hands of the King of Prussia possibly makes it undesirable for an English royal duke to have his brother-in-law for Kaiser. There will probably be an indemnity in the matter, and the money will be safer in English consols than the prudent royal mother.

THE VISIT OF THE NEW SECRETARY OF WAR, Judge Taft, in company with General Sherman and staff, to the principal fortifications of New York Harbor, marks the re-establishment of friendly relations between the War Department and the General-in-Chief of the army, which were interrupted during the tenure of office of ex-Secretary Belknap. The object of the visit was twofold, as explained by the Secretary of War. He is desirous of becoming thoroughly acquainted with the prominent officers of the army and with the operation of the army system in its several details. It is pleasant to record an evidence of more than official interest displayed by a Cabinet officer in his department. The old rule of letting things drift along will doubtless give place to a more rigid supervision of the several public interests embraced under the general head of government. There is every reason to expect that the Belknap exposure will be productive of good results so far as the management of the War Department is concerned, and will encourage those interested in government reform to "push things."

The Preliminary Republican Canvass.

The Republican National Convention of 1876 will differ from all its predecessors since the beginning of the civil war in being a deliberative and not merely a registering body. In 1864, 1868 and 1872 there was a perfect concentration of republican sentiment long in advance of the National Convention, the Presidential nominee of each of those conventions having been as well known before it assembled as he was after the selection had been formally declared. But at present there is no concentration upon any candidate, and little prospect of any until after several ballots have been had at Cincinnati. The preliminary action of the State conventions tends to division, not unity. Two of the three republican conventions held last week pledged their delegates to candidates who are not their real choice, and the third sent an unpledged delegation. It is well understood that Governor Hartman is not to receive the final vote of Pennsylvania, nor Governor Hayes the final vote of Ohio, and although a majority of the Vermont delegates favor Mr. Blaine they have full liberty to vote for any other candidate.

It is already certain that at least six candidates will be voted for in the earlier ballots at Cincinnati. The number of delegates from each State is double its electoral votes, and on the first ballot Senator Conkling will receive 69 of the 70 from New York (Mr. Curtis being the exception); Governor Hayes the 44 from Ohio; Governor Hartman the 58 from Pennsylvania; Mr. Blaine most of those from New England, with a small addition from one or two Western States; Senator Morton the 30 from Indiana, with some Southern and Western additions; and Secretary Bristow the 20 from Kentucky, with probable additions. The first ballot will therefore be no index to the final result, and no political prophet or son of a prophet can predict the choice of the Convention. It is the cue of each candidate to magnify his prospects and exaggerate his gains, because if the opinion were widely diffused that any one is particularly strong that opinion would make him strong. No candidate understands this kind of tactics better than Mr. Blaine, and, while he is making more progress than any of his rivals, he is also more active in plying all newspaper men whom he can directly or indirectly reach with the story of his gains.

Mr. Blaine's friends claim the Ohio and Pennsylvania delegates as soon as they cease to vote for Hayes and Hartman, but this claim needs to be taken with great abatement. The Cincinnati Commercial has ascertained, since the adjournment of the Ohio Convention, that after Hayes is abandoned the delegation from that State will stand 8 for Morton, 12 for Blaine and 24 for Bristow. Such strength as Blaine has in Ohio is in the northeastern part of the State, called the Western Reserve, which was originally settled from New England. His pretensions in Pennsylvania may be somewhat better founded. He is a native of that State, and is more favorable to its high tariff policy than any other of the leading candidates. But the Pennsylvania delegation will be controlled by Senator Cameron, who is too old a schemer to commit himself while the eddying waters afford no indication of the real drift of the current. He has given the Pennsylvania delegation nominally to Hartman, with the purpose of holding it in reserve and throwing it at last on the winning side. The States whose delegates are pledged will continue to vote for their favorite candidates until there is a manifest concentration of opinion in the Convention, and if the tendency should be toward Blaine, Pennsylvania will go in, turn the scale in his favor, and claim her reward in the distribution of offices. But Cameron and his cohorts will be equally willing to render the same service to any other rising candidate in expectation of the same reward. In Pennsylvania, therefore, Mr. Blaine is counting his chickens before they are hatched, while Ohio is more likely to favor Secretary Bristow, if he should develop strength in other quarters.

But, although Mr. Blaine is over sanguine, he is perceptibly and steadily gaining, which is more than can be said of any of his numerous rivals. This fact cannot be safely ignored by Senator Conkling, who has but a slender prospect of gaining supporters outside of his own State. Possessing the confidence of President Grant, he is in a position to exert a greater influence on the ultimate choice of the Convention than any other member of the republican party if he will exercise a little foresight and some magnanimity. He must assume, by his voluntary act, the same position in the canvass in which Hayes and Hartman have been placed by their respective State conventions, expecting nothing for himself beyond the unknown possibilities of the chapter of accidents, and holding his delegation in hand chiefly with a view to turn the scale between other candidates in the final crisis of the battle. His influence, which may prove decisive if he makes a skillful use of it, depends on his peculiar relation to New York politics and the exceptional importance of New York in the Presidential election. The loss of New York by either party is a loss of the whole battle. The State is in democratic hands, and can be rescued only by the most perfect unity among the republicans. The nomination of Blaine at Cincinnati would be a surrender of New York in advance, and with it a surrender of all reasonable hope of electing the next President. Neither Conkling nor his friends can be expected to work with zeal for Blaine. Though belonging to the same political party they are inveterate personal enemies, and have not spoken to each other for seven or eight years. With Blaine as President, Mr. Conkling and his friends would be ostracized, and the whole immense federal patronage in this State would flow through other channels. It is not to be expected that Senator Conkling and his friends, who control the republican organization in this State, will lend a helping hand to dig their own political graves. The electoral votes of New York will undoubtedly be given to the democratic candidate if Mr. Blaine should be nominated at Cincinnati, and the party cannot afford to fling away so important a State.

If Mr. Conkling is wise he will recognize

the growing strength of Mr. Blaine and exert his influence to secure a general concentration on some candidate other than himself who would be acceptable to the republicans of New York. With the co-operation of President Grant he could make Blaine's nomination impossible and thereby give the party some chance of recovering this State, which is the grand pivot of the Presidential canvass. In the strong republican States it makes little difference who is the nominee, those States being secure in any event. The candidate should be selected with reference to the doubtful States, especially New York, the most important of them. For carrying New York the weakest of all possible candidates is Blaine, whose nomination would be worth from thirty to fifty thousand votes for the democratic candidate, owing to the inextinguishable jealousy and hatred which have so long existed between Blaine and Conkling. The supporters of all Mr. Blaine's rivals will recognize the force of this consideration, and, with ordinary skill and prudence on the part of the President and Mr. Conkling, combinations may be formed which will render the success of Blaine at Cincinnati impossible. But they must pursue some other line of tactics than an attempt to unite the party on Senator Conkling himself.

The Indian Question.

General Banning will introduce in the House to-morrow his bill to "transfer the conduct of Indian affairs from the Interior to the War Department." This measure comes before the House with the approval of six of the most prominent officers of the army, all of whom have long been familiar with the scandalous mismanagement of Indian affairs by the Interior Department. Many of these say in their testimony that the proposed transfer will expose the army to misrepresentations, make it trouble and impose burdensome duties upon it; but in spite of that, and in the interest of the public and the Indians, they strongly advise the transfer. It has the approval also of Mr. Welsh, of Philadelphia, Chairman of the first Indian Commission, and now Chairman of the Episcopal Church Board, which conducts benevolent operations among the Indians. It has, we believe, also the approval of Professor Marsh, and it has the support of every honest man who has ever made the Indian question a study.

On the other hand, this transfer of the Indian service is opposed by every corruptionist and thief who has ever had pickings and stealings from the Indian fund; and these people are making an organized and vigorous though secret and often indirect opposition to the bill. They have managed, unfortunately, to deceive some honest men like Professor Seelye, and with the help of such men they are trying to defeat this measure. It ought to be enough for the House that General Banning's bill is opposed and denounced by the whole Indian Ring. But, besides this, the transfer will effect a saving of at least five millions per annum in the cost of the Indian service. It will put an end to one of the most inhuman and corrupting elements in the prevailing maladministration. It will secure peace and good will with the Indians and insure to these their rights, which they have never got from the Indian Bureau in the Interior Department. No man who sincerely desires to see a reform of the civil service can vote against this transfer.

Carriage and Cab Fares.

The New York public has never taken generally to riding in hackney carriages or cabs because a very well founded fear of extortion has put the use of these vehicles into the list of things to be avoided as much as possible. The situations in which the average citizen has found himself compelled to hire a carriage, as for instance during a heavy rain, have brought him generally face to face with a Jehu who grimly refused to lift his reins under a fare four or five times his right. Hence people of moderate means who, under a fair system of moderate and well defined charges would be glad to go to the opera, the theatre, to visit their friends, to make a shopping tour or to catch a train in a carriage or cab, have walked several blocks to be jammed into a fetid horse car for fifteen or twenty blocks and then walked three or four blocks to their destinations. It has often surprised us that capitalists and hack owners, seeing the profitable nature of this honest and above-board system of conducting the hack business, did not take advantage of it. Still more astonishing is it that the authorities have never taken the matter thoroughly in hand. A new hack ordinance has been passed, but we see no signs of its enforcement, and the rates of fares named in it are still high, none being less than a dollar, while in London a greater distance can be traversed for twenty-five cents. A one horse four-wheeler cab, with seats for four, on the London model, could be run at a high profit on a fifty cent basis, and no more should be allowed for our two-seated one horse cabs. It would not require blooded stock between the shafts nor fallen viscounts nor Secretaries of War on the box, for animals of the horse car kind, a little better groomed, and drivers of the horse car order, not so hard worked and with more time to mend their coats and their manners, would answer. We are anxious to see what will come of the promised reform. One thing is certain, if cheap cabs are furnished they will be largely patronized.

FINANCIAL FRANKNESS is a good thing, but it would require a very good reason to satisfy the Turkish bondholders whose coupons now due will not be paid before July. The Porte says it does not pay because it does not wish to have recourse to onerous loans; which may mean that it hopes by July to have things so quieted down that it can borrow money to pay the interest on its debt at lower rates. From present appearances—particularly the changed attitude of Russia—we do not think that the hope will be sustained; so the Englishmen with their money in Turks may expect another excuse in July, although they would prefer their money.

WAGNER supplies the principal part of the music of the Centennial, under Thomas' direction. Now we shall look for American works in commemoration of the great event. None of our representative composers have taken action as yet.

The Impeachment Managers.

The impeachment managers on the part of the House in the trial of General Belknap before the Senate may turn out to be capable and energetic lawyers, but most of them are so completely unknown to the country that they will be compelled to pass through an ordeal scarcely less trying than that of the accused. Mr. Scott Lord was the law partner of Senator Conkling, and has been Surrogate and a Judge of his county. Mr. McMahon, of Ohio, was the law partner of Mr. Vallandigham, but held no public office until elected to the present Congress. Mr. J. Proctor Knott practised his profession in Missouri, where he was at one time Attorney General of the State, and he holds such legal rank with his party in the House of Representatives that he is Chairman of the Judiciary Committee. Mr. Lynde, of Wisconsin, was once before in Congress, from 1849 to 1851, and he was Attorney General and United States District Attorney of the Territory before his State was admitted into the Union. Mr. G. A. Jenks, of Pennsylvania, is a country lawyer, and is serving his first term in Congress. The republican managers are much better known than their democratic associates. Mr. William A. Wheeler, of this State, is a lawyer of fair abilities, who has been many years in Congress and was President of the Constitutional Convention of 1867, while Mr. George F. Hoar has also had great Congressional experience and is well known as a good lawyer. Many names might have been selected which would have been more acceptable because they are better known, but it would scarcely have been wise to divert Mr. Randall from his duties as chairman of the Committee on Appropriations, and these younger men may work out the case more patiently, and consequently more skillfully, than it would have been done by either Mr. Holman or Mr. Cox. For ability and experience these managers cannot compare with those chosen to conduct the impeachment of Mr. Johnson, but Mr. Carpenter and Judge Black will have more difficulty in defending their client than had Mr. Stanberry and Mr. Everts in the more famous trial.

It is to be regretted, however, that there is not a member of the committee fully capable of arguing the preliminary question to General Belknap's trial—the question of jurisdiction. If the Senate determines that it has authority to try a Cabinet officer after his resignation has been accepted for offences committed while in office the subsequent proceedings will be easily managed. But for the argument of this preliminary question transcendent legal ability will be required, and we doubt whether there is a member of the House on either side capable of arguing it before the Senate. Great care and thoroughness in the presentation of the case in its preliminary stage will be required, and with these the country will be satisfied.

The Chinese Question.

The Chinese question in this country, and especially on the Pacific slope, is one which must soon become of absorbing interest. It is not merely the problem of Chinese cheap labor, though that in itself is one of the utmost importance, but a question affecting the highest interests of society and civilization. We might not view with great alarm the undermining of American industries by Chinese monopoly if this were all there was any occasion to fear, but the very processes by which they gain their ends are destructive of our social life. Their wants are few, and they live in bunks instead of houses. They work cheap until they drive off all competition, and then they raise the prices. The first business upon which they precipitated themselves in California was the manufacture of cigars, and now they monopolize it. They are seizing upon the manufacture of shoes in the same way, and as their numbers increase they are extending their enterprises and industries in every direction. But, what is worse, they are disseminating also their debasing practices and immoralities. In China there is much of the lowest as well as the highest civilization to be found in any country. It is not the intelligence and culture of the Celestial Kingdom which come to America, for these seldom emigrate, and China is no exception to the rule. The lower classes only come here, and they bring with them their base arts and debasing practices and set them up side by side with our civilization. Even here in New York there is a joss house, and Donovan's alley, has long been the wonder of the curious and the grief of the Christian missionary on account of its immoralities and degrading exhibitions. Some way must be found to subject this Chinese question to control, or the leprosy which comes into the country with every ship from China will taint and corrupt not alone the body politic but the sanctities of society and the sacredness of religion.

THE FORCE OF THE WIND when travelling at high velocities is capable of producing the most extraordinary effects on exposed objects, such as buildings, trees, animals and even bodies of water. In March, 1875, a series of destructive tornadoes visited North and South Carolina and Georgia, and Sergeant Calver, of the Signal Service, was ordered to investigate their character and effects. Among other remarkable instances of wind force he reported that "a rock weighing eighteen thousand pounds and having thirty-five square feet of exposed surface was moved seven feet." "A pine log, weighing twelve hundred pounds and with thirty-five square feet of exposed surface, was carried a quarter of a mile." "A pine board was driven through a telegraph pole." "A bale of cotton weighing five hundred pounds was carried a quarter of a mile." The Sergeant observer calculates the following degrees of force for the relative velocity of the wind.—Pressure, 26.9 pounds per square foot of exposed surface, velocity, 73.3 miles per hour; 30.5 pounds, 78.1 miles; 77.7 pounds, 124.6 miles. He further estimates that some of the results could not have been produced by a wind travelling at a less velocity than about seven hundred miles an hour.

EAST SIDE RAPID TRANSIT.—While the west side of the city has already a quick transit road in operation that partially accommodates its wants, and another and better road with double tracks has been

contracted for to be in operation next August, the east side is left without any positive hope that a shovelful of earth will be turned this year toward meeting its greater want of rapid transit. The confirmation of the Commissioners' report favoring the Third Avenue route remains in the hands of the General Term of the Supreme Court, composed of Chief Justice Davis and Judges Brady and Daniels. The plundering horse car companies have their greatest traffic on the east side. The knowledge of what they are doomed to lose when rapid transit becomes a fact moves them to buy up legislators and legislative committees; and this fact, showing the traffic that is waiting for steam lines, should give an impulse to capitalists and constructors to take advantage of the first opportunity to give the east side rapid transit.

Richard H. Dana.

In another part of this paper will be found a full and exact statement of the points that arose in the case of Lawrence vs. Dana and of the substance of Judge Clifford's decision, which we have caused to be prepared from the record. We have taken this pains in order that the readers of the HERALD may understand what degree of fitness and propriety there is in making the merits of this private lawsuit a test of the confirmation of Mr. Dana as Minister to England. There can be but one plausible ground on which the opposition to his appointment can be placed, so far as this lawsuit is concerned. That ground must be that in defending himself against the charge of literary piracy he did something that affects his moral character, or that in preparing the edition of Wheaton which he undertook to prepare he made such a use of matter belonging in law or equity to the former editor, Mr. Lawrence, that he (Mr. Dana) ought to be accounted as no better than a thief. The two charges of literary piracy and perjury have been made against Mr. Dana. The first is an offence which a man may have committed, and which many men have committed, without any such intention to do a wrong as leaves a stain upon the reputation or the moral character. It is an offence of a somewhat technical character, to be adjudged by the application of rules of law that by no means imply any intention to commit a theft. The other charge, that of false swearing, necessarily implies, if it be true, that which involves conscious and deliberate sin. If Mr. Dana, in defending himself against the charge of literary piracy, swore to what was not and to what he knew was not true in point of fact, the blackest of stains rests upon his moral character. It is our judgment, upon a careful examination of the whole case, that there is no ground whatever for this imputation.

There is but one conceivable mode in which Mr. Dana could have given wilfully and consciously false testimony in this case, and that would have been by swearing that he made no use whatever of Mr. Lawrence's notes, did not consult them, in preparing his own. General Butler is reported to have said, "The gravamen of Mr. Dana's offence was not so much that of pirating the book, but that he swore he didn't." This is sheer quibbling, worthy of the source from which it proceeds. A defendant may very well swear that he has not pirated the complainant's book, although the judgment of the law may be that he has pirated it; for in such a case the defendant swears to his belief in a conclusion of law upon the facts on which he means to rely, and if his belief in the conclusion of law is ever so wrong his moral character as a man of truth is in no way involved, unless he swears falsely to some matter of fact. In order to show that Mr. Dana made a false oath it would be necessary to show that he denied under oath his having made any use whatever of Mr. Lawrence's notes in preparing his own. If he meant to make this issue of fact an issue in the case, and on this issue swore to what was not true, he committed perjury. But he never rested his defence upon the fact that he had not seen or consulted or made any use of Mr. Lawrence's notes. By his answer and in his testimony he admitted that he consulted and used Lawrence's notes, as he did the works of others, but not more or otherwise. He thus put his defence, so far as his own oath was involved, upon the issue of law that such use as he made of Lawrence's notes was not unlawful or improper. The decision of the Court that in this respect he was wrong leaves no imputation upon him that he had sworn to that which was not true as a matter of fact. Nor is there any such imputation contained or hinted at in the opinion of the Court or reasonably to be deduced from it.

The judgment of the Court undoubtedly does show that the coincidences of citation from other authors between Lawrence's notes and Dana's were such and so numerous and were accompanied by such internal proofs as lead irresistibly to the conclusion that in compiling his own notes Mr. Dana did not resort to the original sources open equally to him and to Lawrence, but that he borrowed the citations from Lawrence, who had previously collected and embodied them. This, upon the principles of law which govern such cases, was an infringement which justified the Court in sending the case to a master to inquire and report upon the extent of the infringement.

The case derives its principal character and its sole importance from the legal principles that govern a technical right and determine a technical wrong.

THE CAPTURE OF MATAMOROS by Porfirio Diaz, the leader of the present revolution against the Mexican President, Lerdo de Tejada, is the most telling blow the government has sustained from the present movement. The story of the taking of the city is a sickening evidence of the unreliability of the Mexican character. The valorous troops sent out to resist the would-be destroyer of a government elected by the people go over to the enemy; the troops in garrison, with a few exceptions, refuse to fire on the revolutionists, and the deserted commander has to take refuge on United States soil. Diaz, the adventurer who lends this rebellion, has nothing but promises of spoil to offer, and yet a city like Matamoros allows itself to fall into the hands of this man at the head of a few hundred ragamuffins. Comment is needless.

A Challenge to the English and Irish University Athletic Clubs.

Now that the prospect of the British University crews coming over is so bright no time should be lost by the College Athletic Association in asking the fast runners and walkers also to come. The growth of interest in the annual athletic meeting at Saratoga has been most remarkable, there having been over a hundred entries last year. Some excellent work has been done and short time made, but we are yet far behind both the English and Irish, and if their best University men come they will be very likely to secure the chief if not the greater number of the prizes. But this will in many ways prove only a temporary evil. For if we have not yet learned all the mysteries of sharp foot work and staying at a fast pace over long distances, nothing will teach us so effectively as an undoubted defeat or two, and on our own course. Foot racing has been common in England almost for centuries, and, with our very short experience, it is in no way odd that she now excels us in this manly sport. In short, we have nothing to lose and everything to gain. Saratoga has promised the students a half-mile track exclusively for their athletic contests, to be located within five minutes' walk of the village, so that now they will be better able than ever before to meet their proposed guests in a manner every way pleasant. These contests entail no outlay for boats or other expensive gear, nor any travelling as an organization, so that it will be far easier for the persons who purpose taking part to accept such invitation than it was for the rowing clubs. Fortunately, too, there is yet ample time for all needed preparation on both sides of the water, and if the Athletic Association is alive to its present opportunity we may have the pleasure of witnessing this coming summer the best athletic meeting this country will have ever seen.

Bets or Contracts.

There is a trial in progress in the Supreme Court which is likely to determine whether Wall street operations are bets or contracts. Mr. De Witt C. Taylor says they are contracts; Mr. Jay Gould says they are only bets. This case arises on a transaction so common that a judicial determination of the point will be important to the public. On a memorable occasion an agent of Mr. Gould "bought" for him from Mr. Taylor a large quantity of gold, which Mr. Gould subsequently refused to receive and for which he refused to pay. By this refusal of the purchaser to complete the transaction between the seller alleges that he lost fifty-three thousand dollars. Assuming that the operation was a contract and that the courts will enforce the obligations of contracts the seller consequently sues for the above sum. But Mr. Gould alleges that he "bet" Mr. Taylor that the price of gold would go up, and that since it went down he lost the amount of the wager, which was the difference between the price at two periods; but that he refused to pay because the whole transaction was contrary to a law of the State. There is no essential discrepancy between the parties as to the facts, and so the case is of the more consequence as likely to give an authoritative statement of the legal character of those operations on corners and similar devices that have so largely displaced from Wall street the more legitimate traffic in real values. No great harm would result if it should be determined that these operations are bets and not contracts that the law can enforce. It would then be recognized that men like Gould would never pay when they lost; and there would not be many transactions when the game was such that his opponents might always lose but could never in any contingency win. Wall street would be all the better for the exclusion of all such transactions. But Mr. Gould might not get off so easily under such a decision as is perhaps thought. It would relieve him of the obligation of paying his Black Friday losses, but would expose him to suits for amounts of far greater magnitude. Under such a decision every cent he has ever made by transactions of the class he now calls bets could be recovered by the losers. By the law he appeals to it is provided that "any person who shall pay any money upon the event of any wager may sue for and recover the same of the winner." But if the losers of the money are not disposed to sue him the right to sue on the same ground goes to the Commissioners of Charities and Correction, and the money recovered is for public charity. There is in addition a penalty. He can be fined, also, for the benefit of the poor, the sum of one hundred dollars for every day on which he has gained twenty-five dollars by bets of this nature. Altogether, therefore, he may have no occasion to rejoice if he squirms away from the present attempt to compel him to acknowledge his obligations.

The Connecticut Election.

The result of the election which takes place to-day in Connecticut will be important as showing the drift of political sentiment and supplying data for estimating the effect of recent events on the prospects of parties. It would naturally be supposed that the astounding exposures at Washington would damage the republican party, but they had no such effect in New Hampshire, and if they should prove equally inoperative in Connecticut now, when the facts have become so fully known and incontestably established, we do not see what ground will remain for believing that they will have much influence on subsequent elections. The Connecticut election will be regarded as a criterion of the damage done to the republican party by the administration, and, as there has been sufficient time to canvass the facts and examine the evidence, the democratic party can expect no greater advantage from them next fall, when the excitement has subsided and the exposures have become an old story, than they reap from them now, when the facts are fresh and engross public attention.

The general expectation seems to be that the democrats will carry the State, but by a smaller majority than last year. The only thing which makes the re-election of Governor Ingersoll by the people doubtful is a diversion of democratic votes to the inflation ticket. There are no data for estimating the